

**ARTICLE 8.00**  
**PROVISIONS FOR COMMERCIAL DISTRICTS**

**08.00 General Purpose and Intent of Commercial Districts**

The commercial districts established by this Ordinance are designed to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare. They are further designed to provide space for the many and diverse types of commercial activity needed to serve people and industry and maintain the economic base of the City of Gallatin, preserve and enhance property values and promote the constructive improvement and orderly growth of the existing well-located commercial centers and districts, prevent indiscriminate mixture of commercial activity within commercial areas and the scattering of commercial uses in the residential and agricultural districts, protect adjacent residential areas from offensive and detrimental influences, and promote the most efficient and desirable use of land. Within each commercial district, all uses are subject to the performance standards established in Article 13.00 of this Ordinance and shall not make an adverse impact at the zone lot line which would exceed such performance standards.

## **08.01 Intent and Purpose of the CC - Core Commercial District**

This district is designed to provide for a wide range of retail, office, amusement, and service uses normally found in a central business district. High intensity of use is permitted in this district, and increased building bulk is provided as a means of encouraging such development. A setting conducive to and safe for a high volume of pedestrian traffic is desired.

### **08.01.010 Uses and Structures**

A. Principal Permitted Uses and Structures - Within the Core Commercial District as shown on the Gallatin Municipal Zoning Map, the following activities are permitted:

#### **Residential Activities**

- Single Family Dwelling
- Attached Dwelling
- Multi-Family Dwellings, subject to the requirements contained in Articles 12.00 and 13.00.

#### **Community Facility Activities**

- Place of Worship
- Essential Service
- Community Assembly
- Non-assembly Cultural
- Administrative
- Utility
- Vehicular

#### **Commercial Activities**

- Convenience Sales and Service - Two-Pump Maximum
- Automotive Parking (Limited Lot)
- Transient Habitation
- Food Service
- General Personal Service
- Financial, Consulting and Administrative
- Business and Communication Service
- General Retail Sales and Service
- Consumer Laundry and Repair
- Retail Business Supply
- Group Assembly – Limited
- Medical Services

B. Permitted Accessory Uses and Structures

1. Signs as permitted in Section 13.07.
2. Accessory off-street parking facilities as required in Article 11.00.
3. Facilities and buildings customarily incidental and appurtenant to a permitted use.

C. Conditional Use

1. Dwelling, Upper Story Residential
2. Limited Child Care

D. Prohibited Uses and Structures - Any uses or structures not of a nature specifically permitted herein, and any use not conforming to the performance standards set forth in Article 13.00 of this Ordinance are prohibited.

08.01.020 Bulk Regulations

A. Maximum Lot Coverage - 75 percent

B. Height Control - The maximum height of all buildings located within the CC District shall be established as set forth below:

1. The maximum height of a front wall or other portion of a building or other structure at the street line shall be 35 feet above the curb level.
2. For each foot the building is set back from the street line the height of the building may be increased by 1.5 feet.

C. Maximum Floor Area Ratio - 5.0

08.01.030 Area Regulations

A. Minimum Lot Size - Within the CC District, there is no minimum lot size except for residential activities which shall have a minimum lot size of 10,000 square feet.

Dwelling, upper story residential, is excluded from this requirement.

B. Required Yards - Within the CC Districts, no yards, as such, are required. However, if an open area extending along a side lot line is provided, it shall be at least ten (10) feet wide, and it shall be unobstructed from the ground to the sky.

C. Minimum Development Area Per Dwelling Unit - Within the CC District, no dwelling unit shall be permitted on a zone lot with a total development area of less than two thousand (2,000) square feet per dwelling unit, with the exception of upper story residential development proposals. However, each upper story residential dwelling unit shall have a minimum floor area of 500 square feet.

08.01.031 Special Conditions for Upper Story Residential Dwelling

- A. All upper story residential development proposals shall require a certified statement demonstrating a firm agreement for parking reserved exclusively for the use of the upper story residential development.
- B. All upper story residential development proposals shall be in compliance with all Building, Utility, and Housing Codes within the Gallatin Municipal Code.

08.01.040 Use of Open Space

The following uses may be made of any open space provided such uses are otherwise permissible in this district.

- A. Landscaping - All open areas not occupied by driveways, sidewalks, and parking and loading areas shall be devoted to landscaping as defined in Article 1.00.
- B. Driveways
- C. Off-street Parking
- D. Sidewalks

08.01.050 Other Requirements

- A. Exterior Storage - Exterior storage of goods and materials of any kind is prohibited. The placement of waste disposal facilities shall be in the rear of buildings only.

## **08.02 Intent and Purpose of the CS - Commercial Services District**

This class of district is designed to provide for a wide range of commercial uses concerned with retail trade and consumer services; amusement and entertainment establishments; automotive and vehicular service establishments; transient sleeping accommodations; drive-in stores, eating and drinking places; financial institutions; and offices. The uses in this district service a wide market area and, therefore, ease of automotive access is a requirement. However, it is not intended that this district permit uses which generate large volumes of truck traffic. Appropriate open space between commercial and residential areas is required.

### **08.02.010 Uses and Structures**

- A. Principal Permitted Uses and Structures - Within the Commercial Service Districts as shown on the Gallatin Municipal and Regional Zoning Maps, the following activities, as described in Section 03.07 are permitted:

#### Community Facility Activities

- Essential Service
- Non-assembly Cultural
- Administrative

#### Commercial Activities

- Convenience Sales and Service
- Automotive Parking
- Automotive Servicing
- Transient Habitation
- Food Service
- Medical Service
- Financial, Consulting, and Administrative
- Undertaking Service
- General Retail Sales and Service
- Food Service - Drive-in
- Consumer Laundry and Repair
- Retail Business Supply
- Group Assembly-Limited
- Automotive Repair and Cleaning
- Animal Care
- Vehicular, Craft, and Related Equipment Sales,
  - Retail and Delivery
- Limited Newspaper and Periodical Printing
- General Personal Services

B. Permitted Accessory Uses and Structures

1. Signs in accordance with the regulations contained in Section 13.07.
2. Accessory off-street parking and loading facilities as required in Article 11.00.
3. Accessory facilities and buildings customarily incidental and appurtenant to a permitted use provided that such accessory facilities and buildings are not otherwise prohibited.

C. Prohibited Uses and Structures

Any uses or structures not of a nature specifically permitted herein, and any use not conforming to the performance standards set forth in Article 13.00 of this Ordinance are prohibited.

D. Conditional Uses

Community Facility Activities  
Limited Child Care  
Place of Worship

Commercial Activities  
Group Assembly Extensive  
Limited Warehousing

08.02.020 Bulk Regulations

- A. Maximum Lot Coverage - 40 percent
- B. Maximum Floor Area Ratio - .5
- C. Minimum Setback Line - 50 feet

08.02.030 Area Regulations

- A. Minimum Lot Area - 10,000 square feet
- B. Minimum Front Yard - 10 feet
- C. Minimum Side Yard - 10 feet
- D. Minimum Rear Yard - 20 feet

08.02.031 Height Regulation - Maximum Height 45 feet

08.02.040 Use of Required Yard Areas

- A. Landscaping - All required yard areas not occupied by sidewalks and driveways shall be devoted to landscaping as defined in Sections 13.04 and 13.05.
- B. Driveways - Provided that no driveway shall occupy more than half of any required yard.
- C. Sidewalks - Provided that no sidewalk shall occupy more than half of any required yard.

### **08.03 Intent and Purpose of CG - Commercial General District**

This class of district is designed primarily to provide sufficient space in appropriate locations for establishments and uses engaged in wholesale trade, the warehousing of a wide variety of products having the highest performance standards and the least objectionable characteristics, and services ancillary thereto. Other commercial uses are also permitted. As these activities tend to generate relatively large volumes of traffic and have other characteristics detrimental to residential districts, their locations should be removed from the proximity of residential districts insofar as possible.

#### **08.03.010 Uses and Structures**

- A. Principal Permitted Uses and Structures - Within the General Commercial Districts as shown on the Gallatin Municipal and Regional Zoning Maps, the following activities, as described in Section 03.07 are permitted:

##### **Community Facility Activities**

- Essential Service
- Non-assembly Cultural
- Administrative
- Utility and Vehicular

##### **Commercial Activities**

- Convenience Sales and Service
- Automotive Parking
- Transient Habitation
- Food Service
- Financial, Consulting, and Administrative
- Business and Communication Service
- Undertaking Service
- Food Service - Drive-in
- Automotive Servicing
- General Retail Sales and Service
- Consumer Laundry and Repair
- Retail Business Supply
- Group Assembly-Limited
- Automotive Repair and Cleaning
- Animal Care
- Vehicular, Craft, and Related Equipment Sales, Retail and Delivery
- Research Service
- Transport and Warehousing
- Wholesale Sales
- Limited Newspaper and Periodical Printing
- Limited Warehousing
- General Personal Services

Medical Services  
Manufacturing Activities  
Limited

B. Permitted Accessory Uses and Structures

1. Signs in accordance with the regulations contained in Section 13.07.
2. Accessory off-street parking and loading facilities as required in Article 11.00.
3. Accessory facilities and buildings customarily incidental and appurtenant to a permitted use provided that such accessory facilities and buildings are carried out on the same zone lot and are not otherwise prohibited.

C. Conditional Uses - The following activities may be permitted only as conditional uses in accordance with Section 15.06:

Commercial Activities  
Group Assembly Extensive  
Automotive Disassembly, Parts Recycling, and  
Materials Recovery Operations

Community Facility Activities  
Intermediate Impact  
Extensive Impact  
Limited Child Care  
Place of Worship

D. Prohibited Uses and Structures - Any uses or structures not of a nature specifically permitted herein, and any use not conforming to the performance standards set forth in Article 13.00 of this Ordinance are prohibited.

08.03.020 Bulk Regulations

Maximum Lot Coverage - 50 percent  
Maximum Floor Area Ratio - 2.0  
Minimum Building Setback - 50 feet

08.03.030 Area Regulations

Minimum Lot Area - 10,000 square feet  
Minimum Front Yard - 10 feet  
Minimum Side Yard - 10 feet  
Minimum Rear Yard - 20 feet

08.03.031 Height Regulation - Maximum Height 60 feet



08.03.040 Use of Required Yard

- A. Landscaping - All required yard areas not occupied by sidewalks, and driveways shall be devoted to landscaping as defined in Sections 13.04 and 13.05.
- B. Driveways - Provided that no driveway shall occupy more than half of any required yard.
- C. Sidewalks - Provided that no sidewalk shall occupy more than half of any required yard.

08.03.050 Special Conditions for Automotive Disassembly, Parts Recycling, and Materials Recovery Operations

- A. The operation of the facility shall be conducted completely inside an enclosed structure or building.
- B. There shall be no outdoor storage of parts, inoperative vehicles, bins, shipping containers, and related materials of any type.
- C. The facility shall front on either a collector street, or arterial street as classified on the official Major Thoroughfare Plan.
- D. The facility must comply at all times with the various performance standards cited within Section 13.02, 15.02.040 of this Ordinance. Particular emphasis shall be placed on the noise standards as enumerated in 13.02.02.
- E. All parking areas and driveways shall be paved.
- F. The location and site shall be situated so that fencing, screening, and landscaping can be provided as appropriate.
- G. A site plan for the facility must also be approved by the Planning Commission.
- H. Any required fences, berms, and landscape buffer strips shall be maintained in a neat and attractive manner.
- I. The minimum lot size shall be adequate to protect adjacent properties and land uses, as well as to provide for adequate aisle widths for trucks to adequately service the facility.
- J. All required State and Federal permits shall be secured as a condition of approval.

#### **08.04 Intent and Purpose of PGC - Planned General Commercial District**

The purpose of this district is to provide for modern, attractive, and efficient, retail, personal, professional, and commercial facilities with access needs that demand location along major arterial roadways. Uses permitted in this district are frequently automobile-oriented, and, as such, this district is most appropriately located along or at intersections of urban arterials or collector roadways, as identified on the City's Official Street Map. Also, since these corridors are major entryways and focal points in the City, landscape and buffer standards are instituted to provide commercial development which is more compatible and visually pleasing with adjacent residential areas. A master development plan for the development of the entire area is required, but the development may occur in stages.

##### **08.04.010 Previously Approved Commercial PUD'S Applicability to the New Planned General Commercial District**

Any project lawfully approved under the provisions of a Commercial Planned Unit Development zone (of this or any other government entity) is hereby approved under their original conditions and are hereby made as a new district of the zoning map of Gallatin as a part of this Ordinance for a period not to exceed two years from the date of the enactment of this Ordinance. If no final plan approval or building permit is requested on the subject property at the end of this period, the Planning Commission shall review its previous recommendations and actions on the subject property and provide to the governing authority a recommendation to: (1) extend the current approval of the subject tract for a period not to exceed two years; (2) revise the current approval in regards to the use, bulk, and/or design standards required of the current approval; or (3) cancel the current approval and impose a new base zoning district on the subject project.

##### **08.04.020 Uses and Structures**

Within the Planned General Commercial District, as shown on the Gallatin Municipal Regional Zoning Map, as delineated below and described in Article 3.00, the following activities are permitted:

##### **A. Permitted Uses**

###### **Community Facility Activities:**

- Administrative
- Community Assembly
- Essential Service
- Health Care
- Limited Child Care
- Non-assembly Cultural
- Nursing Home
- Place of Worship

Commercial Activities:

Business and Communication Services  
Financial, Consulting, and Administrative Office  
Food Service  
Food Service - Drive-in  
General Personal Service  
General Retail Sales and Services  
Group Assembly - Limited  
Medical Services  
Transient Habitation  
Vehicular, Craft, and Related Equipment Sales  
Limited Retail Sales  
Automotive Parking  
Automotive Servicing  
Convenience Sales and Services  
Retail Business Supply  
Wholesale Sales

B. Conditional Uses

Community Facility Activities:

Extensive Impact  
Intermediate Impact  
Utility and Vehicular

Commercial Uses:

Undertaking Service  
Automotive Repair and Cleaning  
Group Assembly Extensive  
Limited Warehousing

C. Permitted Accessory Uses and Standards

1. Signs in accordance with the regulations contained in Section 13.07 or as approved by the Preliminary Master Development Plan and Final Master Development Plan;
2. Accessory off-street parking and loading facilities as required in Article 11.00;
3. Accessory uses, buildings and structures customarily incidental and appurtenant to a permitted uses provided that such are carried out on the same zone lot and are not otherwise prohibited

08.04.030      Relationship to General Development Plan/Subdivision Regulation

- A. Consistency with the General Development Plan of Gallatin, Tennessee, 1996-2005.  
No Planned General Commercial Zone District shall be approved by the Gallatin Regional Planning Commission unless the preliminary master development and final master development plans of the proposed district are in accord with the General Development Plan of Gallatin or elements, thereof.
- B. Relationship to the Subdivision Regulations. The uniqueness of each proposal for a Planned General Commercial District may require that specifications for the width and surfacing of streets, public ways, public utility rights-of-way, curbs, and other standards may be subject to modification from the specifications established in the subdivision regulations adopted by the Gallatin Regional Planning Commission. Modifications may be incorporated only with the approval of the Planning Commission as a part of its review of the preliminary master development and final master development plan for a Planned General Commercial District and granted as a variance in the preliminary approval of the subdivision which must be concurrent with the final approval by the Planning Commission of the final master development plan.

08.04.040      Site Development Regulations

The following minimum development standards shall be observed in the "PGC" Planned General Commercial District.

- A. Bulk Regulations
- |                                                              |                                                |
|--------------------------------------------------------------|------------------------------------------------|
| 1. Minimum Site Size (Entire Development):                   | 1 acre                                         |
| 2. Minimum Lot Area (Within Development):                    | 20,000 sq.ft.                                  |
| 3. Maximum Floor Area Ratio:                                 | 1.0                                            |
| 4. Maximum Lot Coverage:                                     | 50 percent                                     |
| 5. Minimum lot width                                         | 100 feet                                       |
| 6. Maximum building height                                   | 40 feet                                        |
| 7. Minimum building setback – based on street classification |                                                |
| a. Arterial                                                  | 50 feet                                        |
| b. Collector                                                 | 40 feet                                        |
| c. Local                                                     | 30 feet                                        |
| 8. Minimum front yard                                        | one half of the<br>minimum building<br>setback |
| 9. Minimum side yard                                         | 10 feet                                        |
| 10. Minimum rear yard abutting residential zone district     | 40 feet                                        |
| 11. Minimum rear yard abutting commercial zone district      | 20 feet                                        |

08.04.050      Additional Site Development Regulations

- A. Landscaped Bufferyard Requirements: In addition to the requirements of Sections 13.04 and 13.05, the following landscape bufferyards and landscaping shall be provided in the PGC District, provided, however, that if the provisions of Sections 13.04 and 13.05, differ from these requirements, the more restrictive requirement shall apply unless approved by the Board of Mayor and Alderman as part of the Preliminary and/or Final Master Development Plan as recommended by the Planning Commission.

<u>Bufferyard</u>	<u>Minimum Width</u>	<u>Minimum Landscape Requirements</u>
(1) Front bufferyard abutting a street designated "Arterial" on the Major Thoroughfare Plan Map of Gallatin, Tennessee	20 feet	(a) 90% landscaped area <sup>*</sup> (b) one large deciduous tree for every 50 feet of lot frontage, minimum 2½-inch caliper (c) two small deciduous or ornamental trees for every 50 feet of lot frontage, minimum 1½-inch caliper (d) continuous parking lot screening per Section 13.05
(2) Front bufferyard abutting any other public right-of-way	15 feet	(a) 90% landscaped area <sup>*</sup> (b) one large deciduous tree for every 60 feet of lot frontage, minimum 2½-inch caliper (c) two small deciduous or ornamental trees for every 60 feet of lot frontage, minimum 1½-inch caliper (d) continuous parking lot screening per Section 13.05
(3) Side bufferyard abutting a public right-of-way	12 feet	(a) 90% landscaped area <sup>*</sup> (b) one large deciduous tree for every 60 feet of lot frontage, minimum 2½-inch caliper (c) two small deciduous or ornamental trees for every 60 feet of lot frontage, minimum 1½-inch caliper (d) continuous parking lot screening per Section 13.05

\* NOTE: Landscaped area shall be defined as an area consisting of grass, shrubs, trees, flowers, ground cover, or other organic plant materials in the minimum percentage as noted. A sidewalk/bike path is only other permitted material within a landscaped area.

B. Additional Landscaping and Screening Requirements.

1. Site Landscaping Area - In addition to the landscape material requirements provided in Section 08.04.050, a minimum of seven and one-half percent of the lot area of all developments shall be permanently maintained landscape area, exclusive of the required bufferyard. This area may include the interior parking lot planting area as required in Section 13.05.020.B.
2. For every five hundred (500) square feet of site landscaping area on a lot/site, a minimum of one medium deciduous or ornamental tree (minimum 2-inch caliper) shall be provided, exclusive of the required landscape bufferyard requirements.
3. Every acre of lot/site area shall include a minimum of 50 shrubs, at least 18 inches high. These shrubs may be counted towards the required bufferyard and site landscaping area requirements and shall be exclusive of the continuous parking lot screening required in Section 13.05.
4. Supplemental Screening Regulations
  - a. Loading areas shall be adequately screened so as not to be visible from any residential areas or streets.
  - b. Mechanical equipment, heating, and cooling units for non-residential structures shall be adequately screened so as not to be visible from streets and/or adjacent properties.
5. Traffic Access Control and Visibility Areas at Entrances/Intersections. The design and placement of the landscaping materials within the parking areas and front lot line and side lot line bufferyards shall be designed in accordance with Sections 11.09, 13.05 and 13.06.

C. Ownership and Division of Land. No tract of land may be considered for or approved as a Planned General Commercial District unless such tract is under the single ownership by a landowner. The holder of a written option to purchase, any governmental agency, or a redeveloper under contract with the governing authority shall be considered landowners for the purposes of this section. Unless otherwise provided as a condition of approval of a Planned General Commercial District, the landowner of an adopted Planned General Commercial District may divide and transfer parts of such development. The transferee shall complete each such unit, and use and maintain it in strict conformance with the adopted final site development plan.

D. Architectural Design - When the Planning Commission and/or Board of Mayor and Aldermen has established architectural design as an integral part of the preliminary master development plan and final master development plan, and stipulates architectural design principles and/or specific architectural design details, such principles and/or details shall be made a part of the preliminary master development

plan, final master development plan and all zoning permits for the Planned General Commercial District.

- E. Preliminary Master Development Plan Approval Required: The establishment of the PGC zoning district shall be based upon the submission and approval of a preliminary master development plan according to the provisions of Sections 12.02 and 15.07 of this Ordinance. The preliminary master development plan shall form the basis of the proposed PGC District, and, if approved, the plan and all of its components shall run with the land. All other conditions, regulations, and stipulations of the preliminary master development plan requirements shall be applied to any proposed development in the PGC District.
- F. Final Master Development Plan Approval Required: The Mayor and Aldermen's approval of a preliminary master development plan of a PGC District shall authorize and form the basis for the Planning Commission's final approval of said development. The final approval of the Planning Commission of the development shall be subject to the procedures provisions of Section 12.02 of this Ordinance:
- G. Additional Site Design Standards: All developments occurring within a PGC District shall be designed and developed to comply with the standards of Articles 11.00, 12.00, and 13.00 of this Ordinance.

08.04.060      Special Conditions for Convenience Sales and Services Commercial Activities

- A. Personal convenience services, as described in Section 03.07.090, shall be exempt from this special condition section.
- B. Convenience Sales and Service structures shall be designed to be compatible with the character of residential structures in the surrounding area. Scale of materials and building forms are considered important elements of compatibility.
- C. In order to determine compatibility, the applicant shall provide information concerning building design and materials, including elevations of all sides of the proposed buildings and structures. The features shown in the elevations shall include information concerning building materials, heights, scale, door and window openings, façade offsets, roof pitch and colors.
- D. The design of such facilities shall comply with the requirements of Section 13.08, Architectural Character and Compatibility Standards. In addition, the following architectural standards shall apply:
  - 1. Building height and design shall be in keeping with the character and scale of the proposed and surrounding development.
    - a. Building colors should be subdued, with natural earth tones and colors compatible with surrounding development predominating.

- b. Building rooflines and pitches should be comparable to typical residential roofline styles. To harmonize with residential structures, convenience sales and service structures should have roofs that are visible from the street, preferably with a pitch not less than 1-foot rise in 2-foot run. Roofs should be a dark earth tone in color.
- 2. Canopy height and design shall be in keeping with the character and scale of the proposed development. The canopies shall have pitched rooftops compatible with the design of the proposed building(s).
- 3. Canopies over gas pumps shall use colors and materials that blend with proposed and surrounding building facades. The use of earth tones or dark colors is encouraged.
- 4. The use of primary, secondary or other bright, bold colors on building facades, canopies and awnings shall be avoided.
- 5. Heating and cooling equipment, solid waste disposal equipment and facilities and mechanical equipment and facilities shall be adequately screened so as not to be visible from streets and adjacent properties. In addition, mechanical equipment placed on rooftops should be concealed from view from public streets and adjacent properties.
- E. The number of gasoline pumps, if any, permitted with this use shall be determined by the Planning Commission. In making this determination the Planning Commission shall consider the location, size, and design of such facilities so that the proposed development will be compatible with the development within the surrounding area, thus reducing the impact upon the surrounding area.



## **08.05 Intent and Purpose of PNC – Planned Neighborhood Commercial District**

The purpose of this district is to provide for the establishment of planned neighborhood commercial areas that can efficiently serve day-to-day needs. Consolidation of convenience shopping facilities into planned shopping centers and integrated site designs is encouraged to avoid strip commercial development, lessen traffic conflicts, and improve the safety and convenience of customers. Planned neighborhood commercial areas are also encouraged in order to provide for the appropriate landscape buffers and site design needed to protect property values in adjacent areas. The regulations and conditions contained in this section are designed to ensure that planned neighborhood commercial areas will be developed at locations that will most efficiently serve the needs of the community.

### **08.05.010 General Standards for Making Determinations**

Prior to the establishment of a new Planned Neighborhood Commercial District, the Planning Commission shall review the particular facts and circumstances of each proposal in terms of the following standards and shall find adequate evidence showing that the proposed use:

- A. Will be harmonious with and in accordance with the general objectives or with any specific objectives of the General Development Plan;
- B. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area;
- C. Will not be hazardous or disturbing to existing or future neighboring uses;
- D. Will be a substantial improvement to property in the immediate vicinity and to the community as a whole;
- E. Will be served adequately by essential public facilities and services, such as highways, streets, police, and fire protection; drainage structures; refuse disposal; or schools; or that the persons or agencies responsible for the establishments of the proposed use shall be able to provide adequately any such service;
- F. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
- G. Will not involve uses, activities, processes, materials and equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors;
- H. Will be consistent with the intent and purposes of this Ordinance.

### **08.05.015 Previously Approved Commercial PUDs Applicability to the New Planned Neighborhood Commercial District**

Any project lawfully approved under the provisions of a Commercial Planned Unit Development zone (of this or any other government entity) is hereby approved under their original conditions and are hereby made a zone district of the zoning map of Gallatin as a part of this Ordinance for a period not to exceed two years from the date of the enactment of this Ordinance. If no final plan approval or building permit is requested on the subject property at the end of this period, the Planning Commission shall review its previous

recommendations and actions on the subject property and provide to the governing authority a recommendation to: (1) extend the current approval of the subject tract for a period not to exceed two years; (2) revise the current approval in regards to the use, bulk, and/or design standards required of the current approval; or (3) cancel the current approval and impose a new base zoning district on the subject project.

#### 08.05.020 Uses and Structures

##### A. Permitted Uses

###### Community Facility Activities:

- Administrative
- Community Assembly
- Essential Service
- Health Care
- Limited Child Care
- Non-assembly Cultural
- Nursing Home
- Place of Worship

###### Commercial Activities:

- Business and Communication Service
- Convenience Sales and Service, Excluding gasoline service station and convenience store
- Financial, Consulting, and Administrative
- Food Service
- Food Service Drive-in
- General Personal Service
- General Retail Sales and Services, Excluding Manufactured Home Sales Facilities
- Group Assembly Limited
- Medical Services
- Automotive Parking
- Limited Retail Sales

##### B. Conditional Uses

###### Residential Uses:

- Dwelling One-Family Detached

##### C. Permitted Accessory Uses and Standards

1. Signs in accordance with the regulations contained in Section 13.07 or as approved by the Preliminary Master Development Plan and Final Master Development Plan;
2. Accessory off-street parking and loading facilities as required in Article 11.00;

3. Accessory uses, buildings and structures customarily incidental and appurtenant to a permitted uses provided that such are carried out on the same zone lot and are not otherwise prohibited

08.05.030 Relationship to General Development Plan/Subdivision Regulations

- A. Consistency with the General Development Plan of Gallatin, Tennessee, 1996-2005.  
No Planned Neighborhood Commercial Zone District shall be approved by the Gallatin Regional Planning Commission unless the preliminary master development and final master development plan of the proposed district is in accord with the General Development Plan of Gallatin or elements, thereof.
- B. Relationship to the Subdivision Regulations. The uniqueness of each proposal for a Planned Neighborhood Commercial Zone District may require that specifications for the width and surfacing of streets, public ways, public utility rights-of-way, curbs, and other standards may be subject to modification from the specifications established in the subdivision regulations adopted by the Gallatin Regional Planning Commission. Modifications may be incorporated only with the approval of the Planning Commission as a part of its review of the preliminary master development and preliminary final site development plan for a Planned Neighborhood District and granted as a variance in the preliminary approval of the subdivision which must be concurrent with the final approval by the Planning Commission of the final site development plan.

08.05.040 Site Development Regulations

The following minimum development standards shall be observed in the "PNC" Planned Neighborhood Commercial District.

- A. Bulk Regulations
  1. Minimum Site Size (Entire Development): 1 acre
  2. Minimum Lot Area (Within Development): 20,000 sq.ft.
  3. Maximum Floor Area Ratio: 0.35
  4. Maximum Lot Coverage: 50 percent
  5. Minimum lot width 80 feet
  6. Maximum building height 35 feet
  7. Minimum building setback – based on street classification
    - a. Arterial 50 feet
    - b. Collector 40 feet
    - c. Local 30 feet
  8. Minimum front yard one half of the minimum Building setback
  9. Minimum side yard 10 feet
  10. Minimum rear yard abutting residential zone district 40 feet
  11. Minimum rear yard abutting commercial zone district 20 feet

08.05.050 Additional Site Development Regulations

- A. Landscaped Bufferyard Requirements: In addition to the requirements of Sections 13.04 and 13.05 the following landscape bufferyards and landscaping shall be provided in the PNC District, provided, however, that if the provisions of Sections 13.04 and 13.05 differ from these requirements, the more restrictive requirement shall apply.

<u>Bufferyard</u>	<u>Minimum Width</u>	<u>Minimum Landscape Requirements</u>
(1) Front bufferyard abutting a street designated "Arterial" on the Major Thoroughfare Plan Map of Gallatin, Tennessee	20 feet	(a) 90% landscaped area <sup>*</sup> (b) one large deciduous tree for every 50 feet of lot frontage, minimum 2½-inch caliper (c) two small deciduous or ornamental trees for every 50 feet of lot frontage, minimum 1½-inch caliper (d) continuous parking lot screening per Section 13.05
(2) Front bufferyard abutting any other public right-of-way	15 feet	(a) 90% landscaped area <sup>*</sup> (b) one large deciduous tree for every 60 feet of lot frontage, minimum 2½-inch caliper (c) two small deciduous or ornamental trees for every 60 feet of lot frontage, minimum 1½-inch caliper (d) continuous parking lot screening per Section 13.05
(3) Side bufferyard abutting a public right-of-way	12 feet	(a) 90% landscaped area <sup>*</sup> (b) one large deciduous tree for every 60 feet of lot frontage, minimum 2½-inch caliper (c) two small deciduous or ornamental trees for every 60 feet of lot frontage, minimum 1½-inch caliper (d) continuous parking lot screening per Section 13.05

\* NOTE: Landscaped area shall be defined as an area consisting of grass, shrubs, trees, flowers, ground cover, or other organic plant materials in the minimum percentage as noted. A sidewalk/bike path is only other permitted material within a landscaped area.

B. Additional Landscaping and Screening Requirements.

1. Site Landscaping Area - In addition to the landscape material requirements provided in Section 08.05.050, a minimum of seven and one-half percent of the lot area of all developments shall be permanently maintained landscape area, exclusive of the required bufferyard. This area may include the interior parking lot planting area as required in Section 13.05.020.B.
2. For every five hundred (500) square feet of site landscaping area on a lot/site, a minimum of one medium deciduous or ornamental tree (minimum 2-inch caliper) shall be provided, exclusive of the required landscape bufferyard requirements.
3. Every acre of lot/site area shall include a minimum of 50 shrubs, at least 18 inches high. These shrubs may be counted towards the required bufferyard and site landscaping area requirements and shall be exclusive of the continuous parking lot screening required in Section 13.05.
4. Supplemental Screening Regulations
  - a. Loading areas shall be adequately screened so as not to be visible from any residential areas or streets.
  - b. Mechanical equipment, heating, and cooling units for non-residential structures shall be adequately screened so as not to be visible from streets and/or adjacent properties.
5. Traffic Access Control and Visibility Areas at Entrances/Intersections. The design and placement of the landscaping materials within the parking areas and front lot line and side lot line bufferyards shall be designed in accordance with Sections 11.09, 13.05 and 13.06.

C. Ownership and Division of Land. No tract of land may be considered for or approved as a Planned Neighborhood Commercial District unless such tract is under the single ownership by a landowner. The holder of a written option to purchase, any governmental agency, or a redeveloper under contract with the governing authority shall be considered landowners for the purposes of this section. Unless otherwise provided as a condition of approval of a Planned Neighborhood Commercial District, the landowner of an adopted Planned Neighborhood Commercial District may divide and transfer parts of such development. The transferee shall complete each such unit, and use and maintain it in strict conformance with the adopted final site development plan.

D. Architectural Design - When the Planning Commission and/or Board of Mayor and Aldermen has established architectural design as an integral part of the master development plan and final site development plan, and stipulates architectural design principles and/or specific architectural design details, such principles and/or details

shall be made a part of the master development plan, final site development plan and all zoning permits for the Planned Neighborhood Commercial District.

- E. Preliminary Master Development Plan Approval Required: The establishment of the PNC zoning district shall be based upon the submission and approval of a preliminary master development plan according to the provisions of Sections 12.02 and 15.07 of this Ordinance. The preliminary master development plan shall form the basis of the proposed PNC District, and, if approved, the plan and all of its components shall run with the land. All other conditions, regulations, and stipulations of the preliminary master development plan requirements shall be applied to any proposed development in the PNC District.
- F. Final Master Development Plan Approval Required: The Mayor and Aldermen's approval of a preliminary master development plan of a PNC District shall authorize and form the basis for the Planning Commission's final approval of said development. The final approval of the Planning Commission of the development shall be subject to the provisions of Section 12.02 of this Ordinance:
- G. Additional Site Design Standards: All developments occurring within a PNC District shall be designed and developed to comply with the standards of Articles 11.00, 12.00, and 13.00 of this Ordinance.

**08.06 Unassigned**

**08.07 Unassigned**

**08.08 Intent and Description of Commercial Services-Limited (CSL) Districts  
Approved Prior to July 7, 1998**

These provisions apply to only those Commercial Services-Limited Districts that were approved prior to July 7, 1998. No rezoning to the Commercial Services-Limited District shall be approved after that date.

This district is intended to provide for uses to serve the recurring household needs and personal service requirements of the occupants of nearby residential areas. The permitted establishments are those which provide for regular local shopping and which, therefore, are visited frequently by customers. These existing districts occur along or away from arterial streets, characteristically are small, and are widely distributed throughout the community for convenient accessibility. The bulk regulations are established to provide for maximum compatibility between the commercial activity in these districts and adjacent residential activity.

08.08.010 Uses and Structures

A. Principal Permitted Uses and Structures

Within the Commercial Services-Limited Districts as shown on the Gallatin Municipal-Regional Zoning Map and as delineated below, as described in Article 3.00, the following activities are permitted:

Community Facility Activities  
Essential Service

Commercial Activities  
Convenience Sales and Service – no gasoline pumps  
Food Service

B. Permitted Accessory Uses and Structures

1. Signs in accordance with the regulations contained in Section 13.07. Section 13.07.100 shall govern the amount of signage permitted.
2. Accessory off-street parking and loading facilities as required in Article 11.00 of this ordinance.
3. Accessory facilities and buildings customarily incidental and appurtenant to a permitted use provided that such are carried out on the same zone lot and are not otherwise prohibited.

C. Prohibited Uses - Any uses or structures not of a nature specifically permitted herein, and any use not conforming to the performance standards set forth in Article 13.00 of this Ordinance are prohibited.

08.08.020 Bulk Regulations

- A. Maximum Lot Coverage – 40 percent
- B. Minimum Setback Line – 40 feet

08.08.030 Area Regulations

- C. Minimum Lot Area – 20,000 square feet
- D. Minimum Front Yard – 20 feet

In areas where uses in this district front on a street with residential properties, the setback line shall be the same as the adjoining residential properties, but in no case shall be less than thirty (30) feet.

- E. Minimum Side Yard – 10 feet
- F. Minimum Rear Yard – 10 feet

On any corner lot, all structures shall conform to the setback requirements for the adjoining street if such requirements are greater than for this district.

08.08.031 Height Regulations – Maximum Building Height – 25 feet

08.08.040 Use of Required Yard

- A. Landscaping and Bufferyards – All required yard areas not occupied by sidewalks, and driveways shall be devoted to landscaping as defined in Article 13.00.
- B. Driveways – Provided that no driveway shall occupy more than half of any required yard.
- C. Sidewalks – Provided that no sidewalk shall occupy more than half of any required yard.

08.08.050 Other Requirements

A. Enclosure Requirements

All uses shall be conducted within completely enclosed buildings except for parking, loading, and other accessory uses listed herein which by their nature must exist outside a building.

B. Floor Space Limitation

No establishment shall occupy more than 3,000 square feet of floor space.



C. Exterior Storage

Exterior storage of goods or materials of any kind is prohibited. The placement of waste disposal facilities is permitted in rear of building only, and such facilities shall be appropriately screened and maintained using the same material from which the principal use is constructed.

## ARTICLE 8.00 AMENDMENTS

<b>Section</b>	<b>Ordinance #</b>	<b>Date</b>
08.01.010, A	O0601-004	02/07/06
08.01.010, C	O9811-070	12/01/98
08.02.010, A	O0110-058	11/16/01
08.02.010, D	O9811-071	12/01/98
08.03.010, C	O9811-071	12/01/98
08.03.010, A	O0111-063	12/18/01
08.02.010, D	O9811-071	12/01/98
08.03.010, C	O9811-071	12/01/98
08.03.010, A	O0504-028	05/17/05
08.04	O0111-065	12/18/01
08.04	O0408-046	09/07/04
08.04.020, A and B	O0409-052	10/19/04
08.04.060	O0409-052	10/19/04
08.05	O0111-066	12/18/01
08.05	O0408-046	09/07/04
08.05.020, A and B	O0409-052	10/19/04
08.06 – deleted	O9912-058	01/04/00
08.07 – deleted	O9912-058	01/04/00
08.08	O9903-022	04/06/99
08.08.010, A	O9908-049	09/07/99